

DFW

Attorney Docket No. 50450-8060

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Date: March 1, 2005

By: Lynnea B. Anderson
Lynnea B. Anderson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Iversen and Kipshidze

APPLICATION No.: 10/668,988

FILED: September 22, 2003

FOR: DELIVERY OF THERAPEUTIC COMPOUNDS VIA
MICROPARTICLES OR MICROBUBBLES

EXAMINER: Unknown

ART UNIT: 1615

CONF. NO: 1777

**Information Disclosure Statement Within Three Months of Application Filing
or Before First Action – 37 CFR 1.97(b)**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

The PTO did not receive the following
listed items(s) NPCs

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 CFR 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are enclosed:
- ☐ All cited references
 - ☒ References marked by asterisks
 - ☐ The following:
 - ☒ No copies of U.S. patents nor published applications are enclosed (See C.F.R. § 1.98(a)(2)(i)).
- ☐ Copies of the following references can be found in parent U.S. Application No. *
- ☐ All cited references
 - ☐ References marked by asterisks
 - ☐ The following:
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a

communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references
- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 C.F.R. § 1.97(c)) or Certification (37 C.F.R. § 1.97(e))

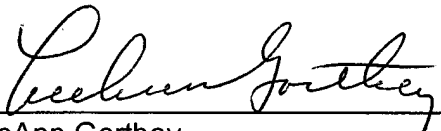
- ☐ Applicant elects to pay the fee under 37 C.F.R. § 1.17(p) \$180.00.
- ☐ Check enclosed for \$
- ☐ Please charge the above fee(s) to Deposit Account No. 50-2207.
- ☐ Applicant submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
 - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
 - ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.
- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

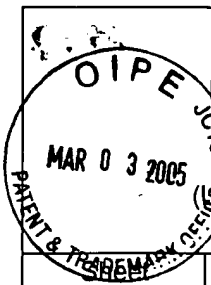
Date: 3-1-2005



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 INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) (Use several sheets if necessary)				COMPLETE IF KNOWN	
				Application Number	10/668,988
				Confirmation Number	1777
				Filing Date	September 22, 2003
				First Named Inventor	Iversen and Kipshidze
				Group Art Unit	1615
Examiner Name	Unknown				
Attorney Docket No.	50450-8060				
1		of		2	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
		5,498,421		Grinstaff <i>et al.</i>	03/12/96	
		5,849,727		Porter <i>et al.</i>	12/15/98	
		6,117,858		Porter <i>et al.</i>	09/12/00	
		6,143,276		Unger	11/07/00	
		6,245,747		Porter <i>et al.</i>	06/12/01	
		6,261,537		Klaveness <i>et al.</i>	07/17/01	
		US20020147136		Von Wronski <i>et al.</i>	10/10/02	
		US2001/0051131	A1	Unger	12/13/01	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code				
	*	WO	00/42988		Lindner <i>et al.</i>	07/27/00		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	*	Copy of International Search Report from PCT Application No. PCT/US04/31291	
	*	Bakhtiar <i>et al.</i> , "Studies on Non-covalent Associations of Immunosuppressive Drugs with Serum Albumin Using Pneumatically Assisted Electrospray Ionization Mass Spectrometry," <i>Rapid Communications in Mass Spectrometry</i> , 9:240-244, 1995.	
	*	Clay, C. <i>et al.</i> , "New Insights into Mechanisms of Albumin Microbubble Adhesion to Coronary Endothelium Using Chemically Modified Microbubbles," <i>J. Am. Coll. Cardiol.</i> 33(2 Suppl. 1):407A, 1999.	
	*	Lindner, J. R. <i>et al.</i> , "Microbubble Persistence in the Microcirculation During Inflammation is Due to their Adherence to Activated Leukocytes," <i>J. Am. Coll. Cardiol.</i> 33(2 Suppl. 1):407A-408A, 1999.	
	*	Porter, T. R. <i>et al.</i> , "Intravenous Antisense Administered Bound to Perfluorocarbon Exposed Sonicated Dextrose Albumin Microbubbles Inhibits Stenosis Formation Following Coronary Balloon Injury," <i>Circulation</i> 100(18 Suppl):365, 1999.	
	*	Kureshi, I. <i>et al.</i> , "The Affinity of Lipid-coated Microbubbles to Maturing Spinal Cord Injury Sites," <i>Neurosurgery</i> 44(5):1047-1053, 1999.	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

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				Group Art Unit	1615
Examiner Name	Unknown				
Sheet	2	of	2	Attorney Docket No.	50450-8060

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	*	Wakefield, A. <i>et al.</i> , "The Use of Lipid-coated Microbubbles as a Delivery Agent of 7 β -Hydroxycholesterol in a Radiofrequency Lesion in the Rat Brain," <i>Neurosurgery</i> 42 (3):592-598, 1998.	
	*	Ho, Shih-Yieh <i>et al.</i> , "Evaluation of Lipid-coated Microbubbles as a Delivery Vehicle for Taxol in Brain Tumor Therapy," <i>Neurosurgery</i> 40 (6):1260-1268, 1997	
	*	Barbarese, E. <i>et al.</i> , "Internalization of microbubbles by tumor cells <i>in vivo</i> and <i>in vitro</i> ," <i>Journal of Neuro-Oncology</i> 26 :25-34, 1995.	
	*	Lindner, J. <i>et al.</i> , "Delivery of Drugs with Ultrasound," <i>Echocardiography</i> 18 (4):329-337, 2001.	

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*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	